BOARD OF ADJUSTMENT Zoning Administration Division Planning and Development Services Department (PDSD) 201 North Stone Avenue, Tucson, Arizona 85701

*** NOTICE OF DECISION ***

DATE OF PUBLIC HEARING APRIL 27, 2021

THE DECISIONS OF THE BOARD OF ADJUSTMENT MAY BE APPEALED TO THE SUPERIOR COURT OF PIMA COUNTY BY FILING A COMPLAINT FOR SPECIAL ACTION WITHIN THIRTY (30) DAYS AFTER THE BOARD HAS RENDERED ITS DECISION. ARIZONA REVISED STATUTES SECTION 9-462.06 (J) & (K).

ACTIVITY NO. T22SA00162

CASE NO.

THE APPLICANT

C10-22-02 WHITE AND TREADWAY LOT LINE ADJUSTMENT / GLENN WHITE AND MONA TREADWAY / 86 WEST SIMPSON / HO-3

The applicants' property is an approximately 4,715 square foot lot zoned HO-3, an "Office" zoning classification, and is developed with a single-family residence. The applicant is proposing to reposition the lot line between 86 and 92 West Simpson Street to provide parking for 92 West Simpson Street, and to create a reduced lot size and reduced building setback at the west lot line to the residence of 86 West Simpson Street. Tucson *Unified Development Code (UDC)* sections applicable to this project include, but are not limited to, Section 4.7.8. and Table 4.8-3 which provide the use criteria for development in the O-3 zone, and Table 6.3-3.A which provides the minimum lot size requirements for residential development in the O-3 zone. The applicants are requesting the following variances: **1)** Allow the lot area for 86 West Simpson Street to be reduced from the minimum required 5,000 square feet to approximately 3,379.5 square feet; and, **2)** Allow the building perimeter yard setback for 86 West Simpson Street to be reduced from 10' to 4' as measured to the repositioned west lot line, all as shown on the submitted plans.

DECISION: CASE CONTINUED TO THE MAY 25, 2022 PUBLIC HEARING

[DECISION NOTE]

By UDC regulation, a building permit or development approval based upon a Board of Adjustment decision cannot be issued, until a minimum of fourteen (14) days after the Board's decision date.

IMPORTANT NOTICE

FOR VARIANCES OR DESIGN DEVELOPMENT OPTIONS (DDO) GRANTED BY THE ACTIONS OF THIS BOARD: IF A BUILDING PERMIT IS REQUIRED FOR THE PROJECT ASSOCIATED WITH THE VARIANCE OR DDO, IT MUST BE SECURED FROM THE PLANNING AND DEVELOPMENT SERVICES DEPARTMENT (PDSD) WITHIN 180 DAYS OF THE HEARING DATE.

VARIANCE AND DDO APPROVALS EXPIRE WITHIN 180 CALENDAR DAYS FROM THE DATE OF THIS MEETING. TWO ADDITIONAL (180 DAY) EXTENSIONS MAY BE GRANTED PROVIDED THERE IS GOOD CAUSE AND THE REQUEST IS MADE IN WRITING.

<u>UNLESS OTHERWISE NOTED</u>, BOARD OF ADJUSTMENT DECISIONS BECOME EFFECTUATED UPON OBTAINING BUILDING PERMITS (IF REQUIRED) AND FULL COMPLIANCE WITH ALL CONDITIONS OF THE BOARD'S DECISION.

THE 180 DAY TIME FRAME TO OBTAIN A BUILDING PERMIT DOES NOT APPLY WHEN THERE IS AN OUTSTANDING ZONING VIOLATION THAT PRECIPITATED THE VARIANCE OR DDO REQUEST FOR THE PROPERTY. THE APPLICANT OR PROPERTY OWNER MUST CONTACT THE ENVIRONMENTAL SERVICES DEPARTMENT (ESD): CODE ENFORCEMENT DIVISION FOR THE DATE THE ZONING VIOLATION MUST BE ABATED.

For additional information please email DSD_Zoning_Administration@tucsonaz.gov or call 520-791-5550.

Wyatt Berger

Sue Montes, Secretary Board of Adjustment

s:zoning administration/ba/decision/continuance 2202